

AMENDED IN SENATE APRIL 21, 2014

SENATE BILL

No. 1434

Introduced by Senator Wolk

February 21, 2014

An act to add Section 711.1 to the Fish and Game Code, relating to fish and wildlife.

LEGISLATIVE COUNSEL'S DIGEST

SB 1434, as amended, Wolk. Funding of fish and wildlife programs.

Existing federal law imposes a sales tax on the sale of bows and arrows, ammunition, and certain firearms. Existing federal law, the Federal Aid in Wildlife Restoration Act, makes certain revenues collected from those taxes available to the states by requiring the Secretary of the Interior to apportion an amount available to each state according to a specified formula. The federal act authorizes a state, through its fish and wildlife department, to submit programs or projects for wildlife restoration and hunter safety education to the Secretary of the Interior for funding of up to 75% of the cost of those programs or projects from the amount apportioned to the state.

Existing law establishes the Department of Fish and Wildlife in the Natural Resources Agency, administered ~~through~~ by the Director of Fish and Wildlife. Existing law requires the department, with approval of the Fish and Game Commission, to perform acts as may be necessary to the conduct and establishment of cooperative wildlife-restoration projects, in compliance with the federal act and regulations adopted pursuant to the federal act. Under existing law, the Legislature has made findings that the costs of hunting programs shall be provided out of hunting revenues, reimbursements, and federal funds received for hunting programs, and from other funds appropriated by the Legislature

for this purpose. The Legislature has also made findings that these revenues, reimbursements, and federal funds shall not be used to support commercial fishing programs, free hunting and fishing license programs, or nongame fish and wildlife programs.

This bill would require the department to ~~only apply for grant funds expenditure of all federal grant moneys made~~ available to the state under the federal act to fund eligible projects that are ~~be~~ consistent with that act. The bill would declare the Legislature's intent that the legislative findings described above ~~and that shall apply to the federal act and that the moneys expended under the act~~ fulfill one or more specified purposes. The bill would require the department to post a brief description of projects funded by moneys received from the federal act on its Internet Web site. The bill would require the department to consult with specified hunting advisory committees regarding any project funded by the federal act. ~~The bill would prohibit any executive action from limiting statutory or other applicable authorizations for which the department receives funding exclusively from non-General Fund sources.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 711.1 is added to the Fish and Game
2 Code, to read:
3 711.1. (a) ~~The department shall only apply for grant funds~~
4 ~~expenditure of all federal grant moneys made~~ available to the state
5 pursuant to the Federal Aid in Wildlife Restoration Act (16 U.S.C.
6 Sec. 669 et seq.) ~~to fund eligible projects under the act that are~~
7 ~~shall be~~ consistent with the legislative finding that act. It is the
8 intent of the Legislature that the legislative findings expressed in
9 paragraph (3) of subdivision (a) of Section 711 ~~and that fulfill one~~
10 ~~or more of the following purposes: shall apply to this subdivision.~~
11 (b) The expenditure of the moneys described in subdivision (a)
12 shall fulfill one or more of the following purposes:
13 (1) Management of the department's wildlife areas or other
14 lands open to the public for hunting, ~~or both~~ and other public
15 priority uses listed in paragraph (1) of subdivision (d) of Section
16 1745.

1 (2) Conservation of, *or scientific research concerning*, game
2 species.

3 (3) Support of the department's hunting-related programs,
4 including hunter education and target shooting.

5 (b)

6 (c) The department shall post a brief description of projects or
7 programs funded by moneys received pursuant to the Federal Aid
8 in Wildlife Restoration Act on its Internet Web site. The description
9 shall include information about the budget of each project or
10 program.

11 (e)

12 (d) The department shall consult with the advisory committees
13 established pursuant to Sections 3684 and 3953 regarding any
14 project funded by the Federal Aid in Wildlife Restoration Act.

15 ~~(d) No executive action shall limit statutory and other applicable~~
16 ~~authorizations for which the department receives funding~~
17 ~~exclusively from non-General Fund sources.~~